

REMARKS

This present Response is being filed in reply to the Final Office Action dated April 13, 2007. Applicant requests a two month extension of time, including the associated fee, extending the period of response to and including September 13, 2007.

By the present amendment, claims 7 and 10-14 are amended. Claims 7 and 9-16 are pending in the application. Claims 9 and 15 are withdrawn from consideration.

Rejection Pursuant to 35 U.S.C. § 103(a)

The Office Action rejected claims 7, 10-14 and 16 pursuant to 35 U.S.C. § 103(a) as being unpatentable over Collins (US 6,613,053) in view of Frigg et al (US 6,206,881). Applicant respectfully traverses this rejection based on the above amendment and following arguments.

Claims 7, 10-14 and 16

Independent claim 7 has been amended to recite a bushing positioned within a hole of the bone plate, the bushing including a plurality of concentric annular bores forming a generally frusta-conically shaped, stepped inner wall surface of the bushing. Independent claims 10 and 12 have been amended to recite a bushing positioned within a hole of the bone plate, the bushing including generally stepped-shaped inner wall surface provided by a plurality of steps formed in the inner wall of the bushing, a plurality of the steps having a annular peak, and a plurality of the annular peaks being aligned in a generally frusta-conical shape. Support for the amendments to claims 7, 10 and 12 can be found in paragraph 36 and Figure 5 of the application as originally filed. No new matter has been added. Claim 11 depends from claim 10 and claims 13, 14, and 16 depend from claim 12.

Collins and Frigg fail to teach or suggest a bushing including a plurality of concentric annular bores forming a generally frusta-conically shaped, stepped inner wall surface of the bushing, as recited in independent claim 7. Collins and Frigg fail to teach or suggest a bushing including generally stepped-shaped inner wall surface provided by a plurality of steps formed in the inner wall of the bushing, a plurality of the steps having a annular peak,

and a plurality of the annular peaks being aligned in a generally frusta-conical shape, as recited in independent claims 10 and 12.

For at least this reason, Applicant respectfully requests that the rejection of claims 7, 10, and 12, and claims 11, 13, 14 and 16 dependent thereon, under 35 U.S.C. § 103 be withdrawn.

Conclusion

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicant's attorney would be helpful in expediting the prosecution of the application, the Examiner is invited to call the undersigned at (508) 880-8488.

Respectfully submitted,

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